


Staff Report

City of Loma Linda

Department of Community Development / Code Enforcement

PLANNING COMMISSION MEETING OF DECEMBER 7, 2005

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF 
DIRECTOR OF COMMUNITY DEVELOPMENT

SUBJECT: HEARING TO DETERMINE THAT A PUBLIC NUISANCE EXISTS ON
PRIVATE PROPERTY

RECOMMENDATION:

That the Planning Commission open the Hearing, take testimony, close the Public Hearing, declare the listed property to be a public nuisance and order that a Notice to Abate be issued for the property with a compliance date of ten (10) calendar days from the date of issuance of the Notice.

PERTINENT DATA:

Site Address: 11618 Welebir

Assessor Parcel Number: 0284 492 02 0000

Property Owner: Richard S. Morda

Person/s in control of property: Richard S. Morda

BACKGROUND AND ANALYSIS:

Loma Linda Municipal Code Sections: 9.12.030 and 10.34.010 specifies that the presence of weeds, wild grasses and abandoned or inoperative vehicles are declared to constitute a public nuisance.

The property noted on the attached list has been the subject of complaints received by this Department. Inspections performed by Code Enforcement have revealed that over a period of 11 years or more that overgrown weeds and wild grasses have existed on this property for the majority of that time. In addition there exist two inoperable vehicles stored on the driveway with expired tags, which have been there for

about 5 years. The dwelling has been without water and gas since approximately July 15, 2005. The residence is not occupied and the neighbors claim to see the owner maybe twice a year.

The above listed property has been the subject of numerous efforts both administrative and judicial over the last 11 years without any long-term compliance gained.

As of this date, no substantial or purposeful effort has been made on the part of the owner of this property to abate the nuisance and put an end to this continuous cycle of unsightly conditions and visual blight in this neighborhood.

Procedures outlined in Ordinance 462 include a Public Hearing to determine and declare that a public nuisance exists on private properties within the City of Loma Linda, and an Order for the abatement of said nuisance. An opportunity must be given for the property owner to speak at the Public Hearing to explain why the conditions should not be declared a public nuisance.

CONCLUSION:

If the property is declared a public nuisance and if the owner does not abate the nuisance in the time specified in the Notice to Abate, the City will abate the nuisance.

Respectfully submitted,

Jim Shea
Code Enforcement Officer

Attachments:

1. Staff Report, Planning Commission Meeting of January 12, 2005
2. Notice of Hearing
3. Proposed Notice to Abate
4. Photos
5. Supporting documents:
Violation Notice, Administrative Citations



City Of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160 • (909) 799-2830 • FAX (909) 799-2894

From The Department Of Community Development

NOTICE OF HEARING

November 21, 2005

RICHARD S. MORDA
11618 WELEBIR ST
LOMA LINDA CA 92354

Location: 11618 Welebir St
Assessor Parcel No. 0284 492 02 0000

This is to inform you that the following conditions are believed to exist on the property listed above:

(Overgrown weeds, wild grasses and abandoned or inoperable vehicles)

The existence of such conditions on any property can be reason for the *City Planning Commission*, acting as Hearing Board, to declare this property a public nuisance and order abatement under the provisions of Loma Linda Municipal Code Chapters 9.12 and 10.34.010. As owner, occupant or person otherwise in charge of the property, you have the right to appear at a hearing before the Hearing Board to explain why these conditions should not be found a public nuisance and an Abatement Notice issued for the property.

The hearing will be conducted on **Wednesday, December 7, 2005 at 7:00 p.m.** in the City Council Chambers located in the Loma Linda Civic Center, 25541 Barton Road.

Our most recent records list you as the owner of this property. If you are no longer owner of this property please forward this Notice to the new owner and advise the Department of Community Development of the date the title change occurred and the name and address of the new owner.

Sincerely,

Deborah Woldruff
Director of community development



City Of Loma Linda

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From The Department Of Community Development

NOTICE OF HEARING

November 21, 2005

RICHARD S. MORDA
1879 HARDT ST
LOMA LINDA CA 92354-1723

Location: 11618 Welebir St
Assessor Parcel No. 0284 492 02 0000

This is to inform you that the following conditions are believed to exist on the property listed above:

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From The Department Of Community Development

NOTICE TO ABATE

December 8, 2005

RICHARD S. MORDA
1879 HARDT ST
LOMA LINDA CA 92354-1723

Location: 11618 Welebir St
Assessor Parcel # 0284 492 02 0000

Pursuant to Loma Linda Municipal Code Section 9.12 and 10.34.010 you are hereby notified to abate (remove) from the property described above any and all of the following items, which constitute a public nuisance:

*Any and all abandoned, stored, or inoperable vehicles,
Any all overgrown weeds and wild grasses.*

ABATEMENT SHALL BE ACCOMPLISHED BY REMOVAL OF ALL OF THE ABOVE PUBLIC NUISANCES FROM THE PROPERTY.

As owner, occupant or person otherwise in charge of the property, you are required to abate the nuisance in an acceptable manner by **December 18, 2005**. Failure to comply by that date will be cause for the City to enter onto the property under warrant to remove the public nuisance, with the costs plus all administrative fees to be assessed as a lien against the property. **If the work will be finished prior to the deadline, please contact Code Enforcement at 909-799-2863 to verify completion and final approval of work.**

You may appeal the requirements contained in this Notice by submitting a request as specified in Loma Linda Municipal Code Section 2.08.030, in writing, to the City Clerk within fourteen (10) calendar days from the date above. This Notice to Abate is issued by Order of the Hearing Board (City Planning Commission) on December 7, 2005.

SINCERELY,

DEBORAH WOLDRUFF
DIRECTOR OF COMMUNITY DEVELOPMENT



City Of Loma Linda

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From The Department Of Community Development

NOTICE TO ABATE

December 8, 2005

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LOMA LINDA CA 92354

Location: 11618 Welebir St
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SINCERELY,

DEBORAH WOLDRUFF
DIRECTOR OF COMMUNITY DEVELOPMENT

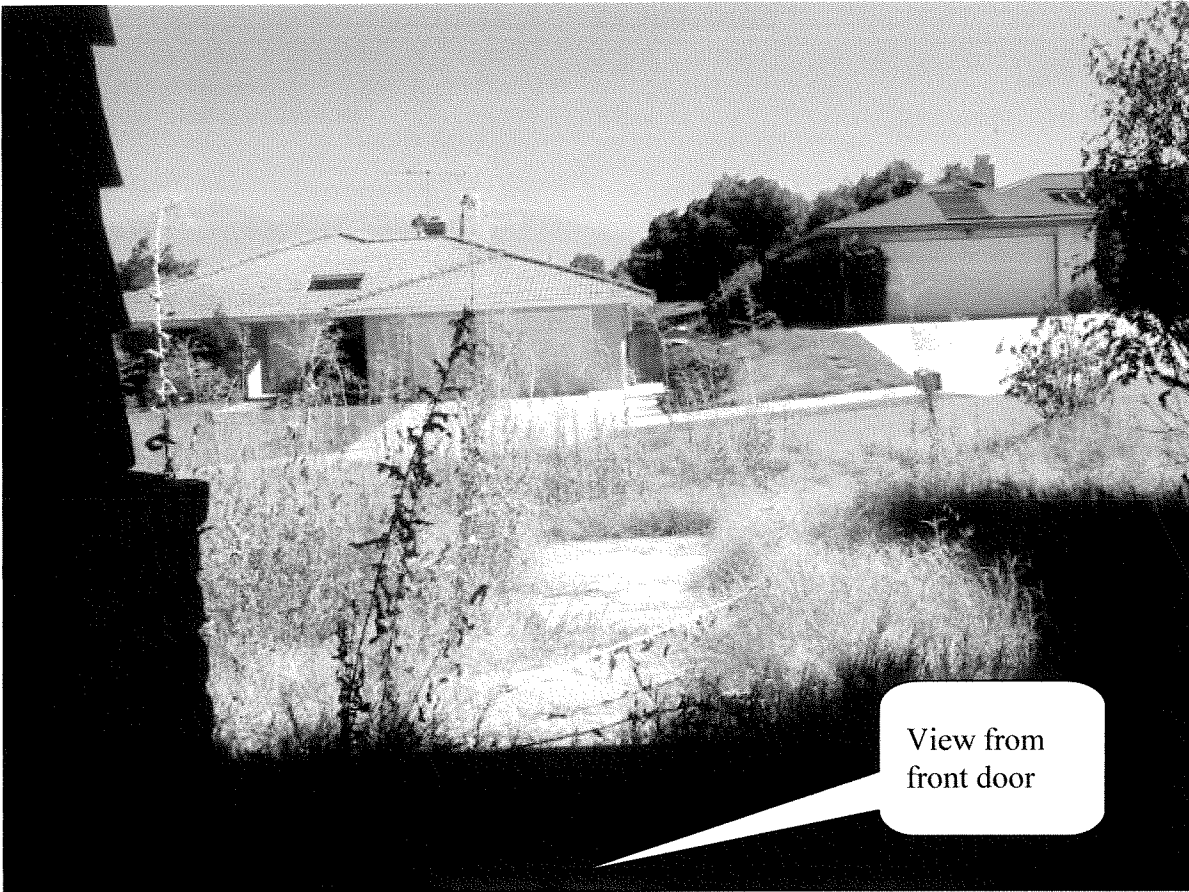
11618 Welebair St
Owner: Richard Morda
Water turned off, Gas turned off

September 28, 2005









View from
front door



Fire Hazard.
Pile of dead
tree branches
up against
house

April 13, 2005

RICHARD MORDA
11618 WELEBIR ST
LOMA LINDA CA 92354

Location: 11618 Welebir St
Assessor Parcel 0284 492 02 0000

VIOLATION NOTICE

You are in violation of the following Loma Linda Municipal Codes:

LLMC 9.12.030, 17.34.045, 10.34.010, 10.37.020



- ☐ Inoperable, wrecked vehicles / parts
- ☐ Vehicle storage without current tags
- ☐ Parking on lawn / yard area
- ☐ Living in camper, trailer, RV
- ☐ Vehicle repair in residential zones
- ☐ Trash, debris, ___front ___back ___side
- ☐ Broken, discarded household furnishings
- ☐ Broken, discarded household appliances
- ☐ Discarded, unused equipment / objects
- ☐ Refuse containers left in street
- ☐ Unsecured structure
- ☐ Broken windows / screens
- ☐ Walls, fences, sheds in disrepair
- ☐ Other Public Nuisance



- ☐ Graffiti ___wall ___fence ___house
- ☐ **Overgrown vegetation / grass / weeds**
- ☐ Overgrown or dead trees
- ☐ Failure to landscape or **Maintain Landscaping**
- ☐ Signs posted in Public Right-of-Way
- ☐ Prohibited Noises
- ☐ No Sign permit / Maintain Prohibited sign
- ☐ Fence / wall permit required
- ☐ Failed to renew annual Business License
- ☐ Home occupation permit required
- ☐ Visual barrier
- ☐ Prohibited object in public right-of-way
- ☐ Uniform Codes, Fire, Building, Health & Safety
- ☐ Prohibited Land Use

CONDITION OBSERVED: FRONT YARD IS 4 FT HIGH IN WEEDS! 2 inoperable vehicles stored on driveway with expired registration tags.

You are hereby given NOTICE TO CORRECT the above listed conditions immediately. A reinspection of the condition will take place on **April 27, 2005**. If violation/s have not been corrected a citation will be issued you requiring an appearance in Superior Court of San Bernardino County and OR an Administrative Citation may be issued for each day the violation continues to exist after this date. Fines start at \$100 per violation. **If there are any special circumstances regarding these conditions that you would like to communicate to this office please do so immediately.** You may reach this office Monday through Thursday, 7:00 A.M. to 5:30 P.M. at (909) 799-2863.

CORRECTIONS REQUIRED: Front yard must be maintained i.e. mowing, weeding, edging, watering, on a **REGULAR BASIS NOT ONCE EVERY TWO YEARS!** Vehicles on driveway must be demonstrated to be operable and display current tags.

SINCERELY,

JAMES SHEA
Code Enforcement Officer

Mr. Morda, Your property is a shame to this neighborhood. You have ignored our efforts for years to maintain your property. The next step for the City will be to have the City Attorney's office seek a Court ordered Receiver (Receivership) to take over legal control of this property, pay someone to rehabilitate it, and then sell it with all debt incurred by the City to be reimbursed from the sale of the property.